

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Katie Scalf,)	
)	C/A No. 4:10-1192-MBS
Plaintiff,)	
)	
vs.)	
)	ORDER
Michael J. Astrue, Commissioner of)	
Social Security,)	
)	
Defendant.)	
_____)	

Plaintiff Katie Scalf brought this action to obtain judicial review of a final decision of Defendant Commissioner of Social Security denying Plaintiff's application for a period of disability and disability insurance benefits. See 42 U.S.C. § 405(g). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Thomas E. Rogers, III. On July 28, 2011, the Magistrate Judge filed a Report and Recommendation in which he recommended that the Commissioner's decision be reversed under sentence four of 42 U.S.C. § 405(g) and the cause remanded to the Commissioner for further proceedings. On August 26, 2011, the court issued an order in which it adopted the Report and Recommendation.

On April 26, 2012, Plaintiff moved for clarification of the court's August 26, 2011 order. The motion was granted on July 12, 2012. This matter now is before the court on Plaintiff's second motion for attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, which motion was filed August 6, 2012.¹ Counsel moves for attorneys' fees in the amount of \$806.63. On August 23, 2012, the Commissioner filed a response to Plaintiff's motion for attorney's fees. The

¹ Plaintiff previously was awarded EAJA fees in the amount of \$2,336.40 on January 11, 2012.

Commissioner informs the court that he does not object to an award of attorneys fees in the amount of \$806.63. Accordingly, Plaintiff's motion for fees under the EAJA (ECF No. 30) is **granted** in the amount of \$806.63.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
Chief United States District Judge

Columbia, South Carolina

August 31, 2012